

*Village of Barrington
Zoning Board of Appeals
DRAFT Minutes Summary*

Date: June 7, 2011

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Peg Moston, Commissioner
Victoria Perille, Commissioner
William Fitzpatrick, Commissioner
David Holtermann, Commissioner
Ryan Julian, Vice Chairperson
Patricia Pokorski, Chairperson

Staff Member: Peg Blanchard, Director of Economic Development
Jean Emerick, Recording Secretary

Call to Order

Chairperson Pokorski called the meeting to order at 7:03 PM.

Roll Call noted the following: Peg Moston, present; Victoria Perille, present; William Fitzpatrick, present; Michael Sepe, absent, David Holtermann; present; Vice Chairperson Ryan Julian, present; Chairperson Patricia Pokorski, present.

Chairperson's Remarks

Chairperson Pokorski gave the order of business and explained the process and duties of the ZBA. Chairperson Pokorski asked if any audience members were here to attend the Harriet Lane petition. Several people raised their hands. Ms. Pokorski indicated that this case was deferred to the July meeting and said individuals left. She swore in those members of the audience that might speak at this meeting.

Old Business

Chairperson Pokorski inquired about the status of the Comprehensive Plan update. Mr. Kramer informed that the Comprehensive Plan was approved in April and is available to the public on the website. Chairperson Pokorski asked why the ZBA was not part of the zoning portion of the comp plan. Ms. Blanchard stated that the Comprehensive Plan, as a planning document, went to the Plan Commission for review. Chairperson Pokorski then clarified the Zoning Board of Appeals was to administer zoning rules and they do not have input into the formulation of the policy.

Chairperson Pokorski swore in David Holtermann to the Zoning Board of Appeals.

New Business

ZBA 11-01: 245 W. Northwest Highway, Special Use

Owner: Nick Niminski
6548 Stockbridge Lane
Long Grove, IL 60047

Applicant: Brandon Halcott
Dent Recon, LLC
2700 West Higgins Road, Ste 100
Hoffman Estates, IL 60169

Summary: The applicant (Dent Recon, LLC) seeks approval of a special use permit to allow an automobile repair shop at 245 W. Northwest Hwy (Chapter 7, Section 7.2 D). No other variations from the zoning ordinance were requested. The property is zoned B-1 General Business Service District.

Mr. Brandon Halcott presented the petition for Dent Recon, LLC, as a full service, reconditioning auto body shop that is mobile. Services offered by the company are chip reconditioning, bumper reconditioning, paintless dent repair, vehicle detail and rim reconditioning. The company has a world-class team. Most of the services are performed by mobile units. He presented examples of the type of work they will do in pictures. The benefits the business will bring to the Village are a diversity of businesses, additional jobs and an extra tax revenue source.

Mr. Kramer presented the staff report. Staff had a technical review to understand all possible obstacles. Some of the factors Staff saw were parking and traffic issues with La Mesa and Enterprise which are currently on-site. Staff asked the petitioner for a signed parking plan, from the owner that would allocate parking to all tenants on the parcel. The owner used the approved plan from the Enterprise special use that depicted all parking spaces on-site. Mr. Kramer indicated that spaces for Enterprise were approved with the previous Special Use and the petitioner requested five (5) parking spaces. He also pointed out that a restaurant use like La Mesa demands ten (10) parking spaces per thousand square feet of serving area, which is what La Mesa has, so the eleven (11) spaces remaining would suffice. Another factor to consider was the use of chemicals on-site, especially considering the restaurant use next door. The petitioner presented two types of air filtration systems that would be used in the shop. The petitioner told staff that one air system was EPA approved and that two would be overkill, but they would install them if the Village required. Staff recommends the approval of the special use permit with the condition that both air filtration systems will be in place and the petitioner cause the adoption of the parking allocation created by the property owner on the site plan.

The record reflected there was no one there from the public for participation.

Commissioner Moston inquired as to whether the parking spots were going to be marked as reserved for each business.

Mr. Kramer said it is not a condition, but may be requested by the Board.

Chairperson Pokorski said that the map that the owner signed is not an agreement. All of the elements of a contract are missing. The map is simply a suggestion, but the Staff report requires a "parking agreement"

Chairperson Pokorski paused the proceedings to swear in Mr. Richard Fischer, attorney for Dent Recon, LLC

Mr. Fischer stated that the parking requirement was a term negotiated in the lease and that they will make a copy of the lease available to the Commission and Staff.

Commissioner Moston asked if they will add signage designating their spots.

Kevin O'Brien, of Dent Recon, LLC, stated that they are a service industry and they will exchange vehicles rather than adding to them to lot.

Commissioner Julian asked about their main type of clientele.

Mr. O'Brien said they will do things wholesale for auto dealerships as well as individuals. Most of the individual, retail customers will be served at a mobile location.

Commissioner Moston was protective of existing businesses like La Mesa. She wonders if La Mesa even knows this is going on and suggests that the petitioner negotiate a deal with La Mesa.

Mr. O'Brien assured the Board that they have contacted Enterprise and La Mesa to keep them up on what is going on.

Commissioner Moston stated that she has used a similar type of business and feels that it is a good business to have in town and to offer Barrington area residents but wants to make sure it works with the other businesses.

Commissioner Holtermann asked how many trucks be will used and how many they will have on site.

Mr. Halcott said that they have two types of trucks. Most of their cars go home with their employees and the paint trucks will stay on-site.

Chairperson Pokorski asked to see the petitioner's lease.

Commissioner Perille asked about the noises level of the work that will be performed.

Mr. O'Brien assured that the noise level will be no louder than a hammer on a piece of metal. He clarified that since this was not going to be a full body shop, with only minor repairs being performed, the noise would not draw complaints. Additionally, the building is cinder block built and the back portion of the building is near the kitchen of the restaurant, not the dining area.

Commissioner Julian asked the petitioner about any type of protective clothing their employees wear.

Mr. O'Brien said that most of the work does not require protective clothing other than a paint suit during touch up paint work, which is when they use their mobile ventilation system.

Chairperson Pokorski questioned some language in the lease. Mr. Fischer offered to provide a lease amendment specifying that the property owner is providing five parking spaces for Dent Recon, LLC. Additionally, Ms. Pokorski said that the exhaust situation concerns her.

Commissioner Moston asks if this is granted is it forever or does the petitioner have to come back review.

Mr. Kramer clarified that it is forever for this business but a new auto repair shop would need a new Special Use.

Chairperson Pokorski wondered about the EPA laws and if they change how would the Village make sure the business still follows them.

Mr. O'Brien stated that they are subject to the any new EPA laws. They have to be certified. All paints have to have labels with lead levels. He also said that their goal is to be green and to go with water based paints very soon in the future.

Commissioner Holtermann asked the petitioner to describe the air filtration systems and where do they vent out.

Mr. O'Brien described that one system filters the air inside the work space so employees and customers are breathing quality air. The other system will provide a plenum, an air-tight seal, to ensure that no chemicals can exhaust anywhere but through the filtration system that will filter at 99.8% and send it up through the filtration system to the vent out the roof.

Commissioner Holtermann asked if the filtered air contain odors.

Mr. O'Brien explained that according to EPA rules they cannot spray so heavily that strong odors will go into the air.

Commissioner Fitzpatrick said that any time you work with solvent chemicals you will get some odor escaping but the objective is to filter as much as possible.

Commissioner Fitzpatrick moved and Commissioner Moston seconded the motion to approve ZBA 11-01, a special use permit to allow an automobile repair shop at 245 W. Northwest Hwy with the following conditions:

- (1) Both air filtration systems [2-sided prep station with exhaust bench & the shop pro mobile prep station] must be utilized in the space to ensure all exhausted air is clean;
- (2) The 2-sided prep station with exhaust bench must be exhausted out the roof of the building, not a side wall; and
- (3) The tenant provide a lease amendment that the landlord is providing five dedicated parking spaces in accord with the assigned parking schematic that was signed by the owner, Nick Niminski, on June 2, 2011.

Roll Call Vote: Ms. Moston – aye; Ms. Perille – aye; Mr. Fitzpatrick – aye; Mr. Julian – aye; Mr. Sepe – absent; Mr. Holtermann – aye; Ms. Pokorski – aye; the vote was 6 to 0. Chairperson Pokorski declared the motion approved.

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ZBA 11-03: 190-202 James Street, Sign Variation

Applicant: Scott Gilleland
121 Harrison Street
Barrington, IL 60010

Owner: Scottsdale Properties, LLC
200 James Street
Barrington, IL 60010

Summary: The applicant (Scott Gilleland) seeks approval of a variance to allow signage along the west wall of 190 James Street, a non-frontage wall (Chapter 4, Section 4.16-D) for the tenants who occupy the building. No other variations from the zoning ordinance were requested. The property is zoned A-1 Artisan District.

Mr. Scott Gilleland is managing partner and owner of the building and spoke for the petitioner. He met with staff several weeks ago to understand his options for new signage. Mr. Gilleland would like to develop a master sign plan for the building to attract and retain his tenants. Initially, he proposed four signs but staff did not feel comfortable with the design characteristics of four signs on a side of the building with three windows so the design was changed to only have three signs. The applicant expressed a desire to obtain permission from the CN Railway to put a monument sign on their right-of-way but negotiations failed.

The record reflected there was no one there from the public present.

Mr. Kramer presented the Staff report. The signage has been proposed to be located on the west wall, which fronts to the parking lot, rather than to the public right-of-way. The initial four signs over the building were not deemed architecturally appropriate by Staff and a three sign design was suggested – one over each window. Staff felt that since this side of the building did not face a residential neighborhood, as the front did, this was an acceptable variation. Therefore, Staff recommends approval of the petition to grant a sign variance with the condition that the master sign plan would be developed by the building owner and Staff. Included in this master sign plan would be the three tenant signs on the west wall and two awnings over 190 James Street entrance and the 202 James Street entrance.

Chairperson Pokorski asked if the sign plan had been approved.

Mr. Kramer said that it is not done yet but will be developed if the petition is approved.

Chairperson Pokorski then clarified that they are only giving approval to the petitioner to put signage on the west façade. She had some concerns with some of the rationale offered by the staff, but agreed with the conclusions. She would prefer a more realistic perspective on the standards in the future.

Commissioner Julian notes that the main facade faces no one but residents in the area. The building side that faces the commercial street makes more sense for signage.

Commissioner Perille confirms that the ZBA is approving three signs on the west wall but questioned what the plan in the future will look like.

Mr. Kramer replied that the ZBA approves the location and that a plan needs to be made.

Commissioner Perille moved and Commissioner Fitzpatrick seconded the motion to approve ZBA 11-03, a variance to allow signage along the west wall of 190 James Street, with the condition that a master sign plan is approved.

Roll Call Vote: Ms. Moston – aye; Ms. Perille –aye; Mr. Fitzpatrick – aye; Mr. Julian – aye; Mr. Sepe – absent; Mr. Holtermann, aye; Ms. Pokorski – aye; the vote was 6 to 0. Chairperson Pokorski declared the motion approved.

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Other Business

None

Approval of Minutes
June 1, 2010

The minutes from June 1, 2010 were not approved due to the lack of a proper quorum of commissioners from the original meeting being present.

December 7, 2010

Commissioner Fitzpatrick moved to approve the minutes of the December 7, 2010 meeting as amended; Commissioner Perille seconded the motion. Voice vote recorded all ayes. The minutes were approved.

Planner's Report

Mr. Kramer stated the Harriet lane case, which was originally scheduled for this meeting, would be heard in July. The Village has also received an application from Motorwerks for a Special Use to park in the Market Center South parking lot. That case will also be in July.

Adjournment

As there was no additional business to come before the Board, Commissioner Fitzpatrick moved to adjourn; Commissioner Perille seconded the motion. Voice vote recorded all ayes.

Chairperson Pokorski adjourned the meeting at 8:10 PM.

Respectfully submitted,

Jean M. Emerick
Recording Secretary



Ms. Patricia Pokorski, Chairperson
Zoning Board of Appeals

Approval Date: